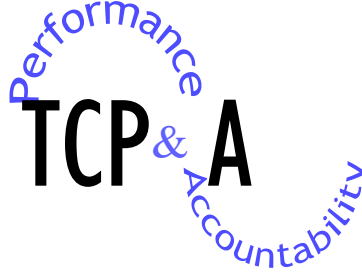


Supreme Court of Florida
Commission on Trial Court Performance & Accountability

Diana Moreland
Chair
Paul Alessandroni
Jennifer Bailey
Matthew Benefiel
Gina Beovides
Barbara Dawicke
Stephen Everett
Bonnie J. Helms



Leandra G. Johnson
Jonathan Lin
Janeice T. Martin
Elizabeth Metzger
Frances Perrone
Michelle Sisco
Elijah Smiley
William F. Stone

May 24, 2022

The Honorable Charles T. Canady
Chief Justice, Supreme Court of Florida
500 South Duval Street
Tallahassee, Florida 32399

Dear Chief Justice Canady:

[In Re: Commission on Trial Court Performance and Accountability](#), Fla. Admin. Order No. AOSC20-56 (June 24, 2020), charged the Commission on Trial Court Performance and Accountability (Commission) with exploring and analyzing small claims cases to determine whether a new case type and corresponding case weight adjustment are warranted when one or more of the Florida Rules of Civil Procedure are invoked. The administrative order also charged the Commission with determining whether the current time standards for final disposition for such cases should be adjusted. In response, the Commission created the Small Claims Case Workgroup to address the charge. The Workgroup considered the matter and advanced a series of recommendations to the Commission. The Commission approved the recommendations unanimously and will be submitting them to the Court through the state courts administrator.

One of the recommendations relates to proposed rule changes filed by the Judicial Management Council's Workgroup on Improved

RECEIVED, 05/24/2022 07:20:20 PM, Clerk, Supreme Court

Resolution of Civil Cases.¹ The Commission wishes to express support for several of the proposed rule amendments that will directly address the aforementioned charge related to the invocation of the Florida Rules of Civil Procedure in small claims cases. Specifically:

- The Commission supports the proposed change to the application of time standards² in cases where one or more of the Florida Rules of Civil Procedure are invoked which will eliminate the deadline for trial under Fla. Sm. Cl. R. 7.090(d). Under the suggested change, the case would be subject to deadlines associated with the general civil case deadlines (complex cases, 30 months; other jury cases, 18 months; other nonjury cases, 12 months) developed as part of the rules proposal.
- The Commission also supports the proposed change to Fla. Sm. Cl. R. 7.020(b) relating to the applicability of the Florida Rules of Civil Procedure. This proposed change requires that a party shall not be entitled to initiate discovery pursuant to the Florida Rules of Civil Procedure without leave of court.
- Further, the Commission supports the proposed change to Fla. Sm. Cl. R. 7.020(c) which would require that, where one or more of the Florida Rules of Civil Procedure are invoked, the case management provisions in Fla. R. Civ. P. 1.200 shall apply.

Members of the Commission agree the proposed changes would not only be beneficial to the speedy resolution of civil cases generally but also would help to preserve small claims court for the

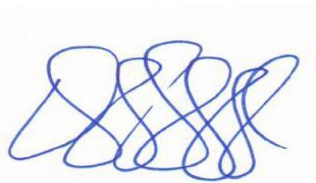
¹ Fla. Supreme Court Case No. SC22-122, *In Re: Report and Recommendations of the Workgroup on Improved Resolution of Civil Cases*.

² Fla. R. Gen. Prac. & Jud. Admin. 2.250.

The Honorable Charles T. Canady
May 24, 2022
Page 3

purposes intended by the Florida Small Claims Rules. Thank you for the opportunity to respond to the proposal. We appreciate your consideration of these comments.

Sincerely,



Diana L. Moreland
Chair, Commission on Trial Court
Performance and Accountability



Gina Beovides
Chair, Small Claims Case Workgroup

DLM/GB/lh

cc: Justices
John A. Tomasino, Clerk of the Court